The Lebanese Experience: Preventing Corruption in the Judiciary while Preserving its Independence
I – The Current State of the Lebanese Judiciary

Independence of the Judiciary

1 – Supreme Judicial Council composed of ten judges, eight of which are nominated by the executive power, which compromises their independence

2 – However, judges are independent in performing their judicial duties
   i – Initially appointed after an exam
   ii – Later nominations are done by the Supreme Judicial Council
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3 – Duties of the Supreme Judicial Council

i – Decide on the nomination of judges in the different judicial positions and courts

ii – Appoint the members of the disciplinary commission

iii – Monitor the performance and actions of judges and ask the Judicial Inspection to initiate an investigation for misconduct of corruption

iv – Determine whether a judge still retains the capacity and fitness for office
4 – Duties of the Judicial Inspection

i – Monitor the functioning of the courts, the work of judges and court staff

ii – Investigate any claim of wrongdoing or misconduct

iii – Refer judges and court staff to the disciplinary commission

iv – Propose actions to be taken by the Supreme Judicial Council regarding the fitness of a judge for office
5 – Corruption and misconduct of judges governed by different laws

i – The law organizing the judiciary

ii – The penal code

iii - The public servants’ law

iv – The criminal procedure code

v – The civil procedure code

vi – The illicit enrichment law

vii – The judges’ code of ethics (not enacted into law)
6 – Financial Situation of the Judiciary

i – No independent budget for the judiciary

ii – Judicial expenditures are twofold

a – Court expenditures

b – Judges’ salaries
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II – Accomplishments of the Minister of Justice in the Reinforcement of Judicial Integrity of its Protection from Corruption

1 – Improved of the judges’ financial situation and work conditions

i – Salary increases

ii – Amendment of the entrance exam

iii – Successful organization of exams for the appointment of new notary publics and court staff

iv – Training and continued education for judges

v – Court computerization

vi – Courthouses renovation and construction
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2 – Incentivized judicial leaders

3 – Monitored judicial performance and conduct

4 – Reinforced judicial accountability

   i – 18 judges were prosecuted in front of the disciplinary commission

   ii – Two judges were laid off while others received various sentences